



Pepi Dakov, M.D.
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Application No: 09/896,542
Applicant: Pepi Dakov
Filing Date: 6/29/2001
Examiner: Gary Jackson
Art Unit: 3731

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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In Response to Office Action mailed on 03/16/2003:

Response to Claim Rejections – 35USC § 102

Claims 1-8, 12-16, 20, 22 were rejected as being anticipated by Chen US Patent 5,123,908 as the patent discloses each of the limitations recited.

The connector of the applicant and the anastomotic device are structurally different particularly in aspect of the means used to attach the device to the hollow structure. Chen uses pins that pierce the wall at an angle. This requires manipulation of the configuration of the hollow structure in order to be inserted into the anastomotic device that has smaller a lumen because of the projecting pins. Another important difference is that the pins just pierce the structure – they do not press it towards the anastomotic ring. Such attachment is highly insecure as event a very light force in direction opposite to the pins can easily pull the hollow structure away from the anastomotic device.

The connector of applicant has different types of holding means that that do not pierce the wall but are inserted into the openings of the hollow structure without manipulating and distorting the shape of the hollow structure. Then, by effecting means the configuration of the holding means is changed in a manner that they press the hollow structure towards the annular rigid body on the outside affixing securely the hollow structure to the connector in this way.

Applicant acknowledges that although the two devices are structurally different, this was not apparent from the original claims. The whole set of original claims has been cancelled and a new set of claims has been provided with added limitations that manifest the major structural differences between the two devices.

Response to Claim Rejections – 35USC § 112

Claims 21 and 23 were rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as inventions.

Applicant has corrected the problem and has replaced the term “ingrowth” with an explanatory description.

Conclusion:

Applicant acknowledges the examiner grounds for the claim rejections and has provided a new set of claims in compliance with examiner's requirements.

Applicant can be reached by phone at: work (212) 746-2355 during hours 9:00AM – 5:00PM, mobile (718) 614-4138, or home (718) 897-3732, and by email at: dakovs@hotmail.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Pepi Dakov", with a checkmark at the end.

Pepi Dakov, M.D

Date: 6/14/2003